

**In the United States District Court
for the Southern District of Georgia
Waycross Division**

NELSON FERNANDEZ AVILES,

Petitioner,

v.

WARDEN, FOLKSTON ICE PROCESSING
FACILITY,

Respondent.

5:25-cv-73

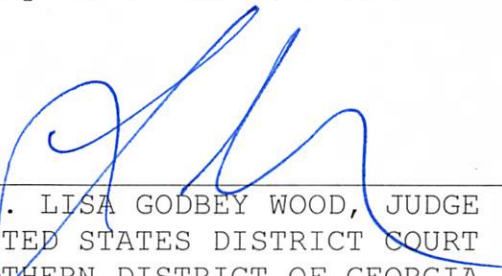
ORDER

The Magistrate Judge issued a Report and Recommendation for the Court to grant as unopposed Respondent's Motion to Dismiss and to dismiss without prejudice Petitioner Nelson Aviles's ("Aviles") 28 U.S.C. § 2241 Petition for Writ of Habeas Corpus based on his failure to comply with the Court's Order and Local Rules. Dkt. No. 19. Aviles did not file Objections to this Report and Recommendation, and the time to do so has elapsed. In fact, this Court's mailing was returned as undeliverable, with the notations; "No Longer Here" and "Return to Sender, Not Deliverable as Addressed, Unable to Forward." Dkt. No. 20 at 1.

Thus, upon review, I find no clear error in the Magistrate Judge's Report and Recommendation and **ADOPT** the Report and Recommendation as the opinion of the Court. See Macort v. Prem, Inc., 208 F. App'x 781, 784 (11th Cir. 2006) (If no specific objections are made or no objections are made at all, "the

appropriate standard of review for the report and recommendation is clear error."). I **GRANT as unopposed** Respondent's Motion to Dismiss and **DISMISS without prejudice** Aviles's 28 U.S.C. § 2241 Petition for Writ of Habeas Corpus. Dkt. Nos. 1, 14. I **DIRECT** the Clerk of Court to **CLOSE** this case and enter the appropriate judgment of dismissal and **DENY** Aviles *in forma pauperis* status on appeal.

SO ORDERED, this 12 day of November, 2025.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA